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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ZAURBEK GUKETLOV, et al.,

11 Plaintiffs,

12 v.

13 HOMEKEY MORTGAGE, LLC, et  
14 al.,

15 Defendants.

CASE NO. C09-1265JLR

ORDER ON MOTION TO  
DISMISS

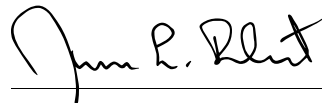
16 This matter comes before the court on Defendant WMC Mortgage, LLC's  
17 ("WMC") second motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6)  
18 (Dkt. # 18). Having considered the submissions of the parties, the court GRANTS  
19 WMC's motion to dismiss (Dkt. # 18).

20 In its order dated November 9, 2009, the court granted WMC's first motion to  
21 dismiss, but gave Plaintiffs Zaurbek Guketlov and Svetlana Guketlova leave to amend  
22 their Washington Consumer Protection Act and common-law fraud claims. (Dkt. # 16.)

1 Shortly after the Guketlovs filed their amended complaint (Dkt. #17), WMC filed the  
2 instant motion to dismiss (Dkt. # 18). On January 11, 2010, the Guketlovs filed a notice  
3 of non-opposition to WMC's motion to dismiss. (Dkt. # 22.) The Guketlovs state that  
4 they "agree WMC's Motion to Dismiss should be granted with prejudice." (*Id.* at 2.)

5 In light of the Guketlovs' notice of non-opposition, the court GRANTS WMC's  
6 motion to dismiss (Dkt. # 18). The court DISMISSES the Guketlovs' claims against  
7 WMC with prejudice, and DISMISSES WMC from this lawsuit.

8 Dated this 12th day of January, 2010.

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11 JAMES L. ROBART  
United States District Judge  
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